

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STEVEN R. ERGLER, an individual,

Plaintiff,

v.

ETHICON ENDO-SURGERY, LLC, a Puerto
Rico limited liability company,

Defendant.

CASE NO. C19-5608-JCC

ORDER

This matter comes before the Court on the parties' stipulated motion to seal (Dkt. No. 54). The parties move to seal unredacted copies of the Report of the Settlement Guardian ad Litem (Dkt. No. 58), the Unopposed Petition for Approval of the Settlement (Dkt. No. 56), the Proposed Order Approving Settlement (Dkt. No. 56-1), and the Declaration of Peter J. Mullenix (Dkt. No. 57), all of which contain references to the settlement amount, costs, fees, and medical lien totals. The parties have also filed versions of these documents with this information redacted. (*See* Dkt. Nos. 59, 60, 61, 62.)

The Court starts from the position that "[t]here is a strong presumption of public access to [its] files." W.D. Wash. Local Civ. R. 5(g). This presumption applies particularly to "dispositive pleadings." *Kamakana v. City and Cty. of Honolulu*, 447 F.3d 1172, 1179 (9th Cir. 2006); *see also M.F. v. United States*, Case No. C13-1790-JLR, Dkt. No. 18 at 4 (W.D. Wash. 2013)

1 (finding that a motion to approve a settlement agreement is a dispositive pleading). To overcome
2 this presumption, there must be a “compelling reason” for sealing that is “sufficient to outweigh
3 the public’s interest in disclosure.” *Id.*

4 The Court finds two compelling reasons justify redacting the monetary amount of the
5 settlement agreement in this case. First, Plaintiff’s interest in keeping the settlement amount
6 private to avoid unwanted attention is a compelling reason that outweighs the public’s interest in
7 disclosure. Second, Plaintiff’s strong interest in settling this matter to obtain compensation for
8 his injuries is a second compelling reason that outweighs the public’s interest in disclosure. *See*
9 *Hummel v. Bimbo Bakeries USA, Inc.*, 2015 WL 13738406, slip op. at 3 (N.D. Cal. 2015) (“[I]n
10 individual actions such as this[,] the cost of litigation may prove prohibitive for a plaintiff taking
11 a case through trial, but defendants might well be dissuaded from settling if they know that the
12 amount of each settlement will be public.”).

13 Accordingly, the Court GRANTS the parties’ motion to seal (Dkt. No. 54). The Clerk is
14 DIRECTED to maintain Docket Numbers 56, 56-1, 57, and 58 under seal.

15 DATED this 28th day of June 2021.

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19 John C. Coughenour
20 UNITED STATES DISTRICT JUDGE
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